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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,439	03/26/2004	Yoshikuni Takenouchi	09473.0004	8108
22852 7590 11/09/2007 FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER EBRAHIMI DEHKORDY, SAEID	
			ART UNIT 2625	PAPER NUMBER
			MAIL DATE 11/09/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/809,439

Applicant(s)

TAKENOUCHI, YOSHIKUNI

Examiner

Saeid Ebrahimi-dehKordy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5,7,9,11,13,15 and 17 is/are rejected.
- 7) ☒ Claim(s) 2,4,6,8,10,12,14,16 and 18 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/26/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1, 3, 7, 9, 13 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Aoki (U.S. patent 6,650,794)

Regarding claim 1, 7, 13 and 15 Aoki discloses: An image processing device (note Fig.1 the multifunctional device) comprising: a scanning unit (note Fig.1 item 7) for obtaining image data by scanning a document image of a document (note Fig.1, column 6, lines 8-35) wherein an image is formed on an electronically tagged paper equipped with an electronic tag for storing electronic data in a certain part of the paper (note Fig.1, column 6, line 57 through column 7, line 18) and a writing unit for writing the image data obtained by said scanning unit on the electronic tag of the document as archive information of the document image (note column 7, lines 19-33).

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Regarding claim 3 and 9 An image processing device comprising: a reading unit for reading archive information from an electronic tag of a document wherein an image is formed on an electronically tagged paper equipped with the electronic tag for storing electronic data in a certain part of the paper and the electronic tag stores the archive information of the document image; a selecting unit for selecting an archive information to be printed among the archive information read by said reading unit (note column 7, lines 19-33, also note Fig.1, column 6, lines 8-35, also note note Fig.1, column 6, line 57 through column 7, line 18) and a printing unit for printing image data related to the archive information selected by said selecting unit (note column 6, lines 36-65, and specifically lines 60-65).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5, 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoki (U.S. patent 6,650,794) in view of Nagral et al (Pub. No.: US 20010044798)

Regarding claim 5, 11 and 17 An image processing device comprising: a reading unit for reading archive information from an electronic tag of a document wherein an image is formed on an electronically tagged paper equipped with the electronic tag for storing electronic data in a certain part of the paper and the electronic tag stores the archive information of the document image (note column 7, lines 19-33, also note Fig.1, column 6, lines 8-35, also note note Fig.1, column 6, line 57 through column 7, line 18). **However Aoki do not clearly disclose:** a selecting

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unit for selecting an archive information to be deleted among the archive information read by said reading unit; and a deleting unit for deleting the archive information selected by said selecting unit. On the other hand Nagral et al disclose: a selecting unit for selecting an archive information to be deleted among the archive information read by said reading unit; and a deleting unit for deleting the archive information selected by said selecting unit (note page 3, paragraph 0044, where the tagged were retrieved and deleted). Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Aoki's invention according to the teaching of Nagral et al's, Where Nagral et al teaches the way tagged data would be retrieved and deleted in order to secures the system and enhance the storage capability of the system.

Allowable Subject Matter

5. Claims 2, 4, 6, 8, 10, 12, 14, 16 and 18 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

CONTACT INFORMATION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saeid Ebrahimi-dehKordy whose telephone number is 571-272-7462. The examiner can normally be reached on Mon-Fri, 8:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Saeid Ebrahimi
Patent Examiner
Group Art Unit 2625
November 3, 2007

